101ST CONGRESS
1st Session

HOUSE OF REPRESENTATIVES

REPORT
101-52

RELEASE OF RESTRICTIONS ON AIRPORT PROPERTY CONVEYANCE, PENINSULA AIRPORT, VIRGINIA

MAY 16, 1989.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

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Mr. ANDERSON, from the Committee on Public Works and Transportation, submitted the following

REPORT

[To accompany H.R. 838]

[Including cost estimate of the Congressional Budget Office]

The Committee on Public Works and Transportation, to whom was referred the bill (H.R. 838) to authorize the Secretary of Transportation to release restrictions on the use of certain property conveyed to the Peninsula Airport Commission for airport purposes, having considered the same, report favorably thereon with an amendment and recommend that the bill as amended do pass.

The amendment strikes out all after the enacting clause of the bill and inserts a new text which appears in italic type in the reported bill.

The reported bill removes restrictions on 13 acres of the property which the federal government previously gave to Newport News, Virginia, for the purpose of building an airport. The deed from the United States included a condition prohibiting the city from leasing or selling this property. The reported bill releases 13 acres from this restriction. As has been customary in legislation of this type, the release will be subject to requirements that the city must receive fair market value for the lease or sale of the property and that the amounts received must be used for the development, improvement, or operation of a public airport. The Committee has been advised by the Federal Aviation Administration that the sale or lease of the 13 acres in question will not affect the use or operation of the airport.

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SECTION-BY-SECTION SUMMARY OF H.R. 838

H.R. 838 amends Public Law 99-618. That law authorized the Secretary of Transportation to grant releases from deed restrictions to permit the Peninsula Airport Commission to sell or lease airport property. The law further provides that any release must be subject to four conditions:

1. That the Peninsula Airport Commission receives fair market value for the lease or sale of the property.
2. That the amounts received by the Commission for sale or lease of the property must be used for the development, improvement or operation of a public airport.
3. That any release granted may not apply to more than 7.5 acres of real property.
4. That the lease or sale must be made to the city of Newport News, Virginia.

H.R. 838 amends Public Law 99-618 by striking requirement 4 and by modifying requirement 3 so that it applies to 20.5 acres.

COMMITTEE ACTION AND VOTE

With respect to clause 2(l)(2) (A) and (B) of the Rules of the House of Representatives, the Committee, with a majority present, favorably reported H.R. 838 by a voice vote on May 4, 1989.

OVERSIGHT FINDINGS AND RECOMMENDATIONS

With respect to clause 2(l)(3)(A) of rule XI of the Rules of the House of Representatives, the Committee reports that no separate hearings were held on the subject matter of the legislation by the Subcommittee on Investigations and Oversight.

With respect to clause (2)(l)(3)(D) of rule XI of the Rules of the House of Representatives, the Committee has not received a report from the Committee on Government Operations pertaining to the subject matter.

CONGRESSIONAL BUDGET ACT REQUIREMENT

With respect to clause (2)(l)(3)(B) of rule XI of the Rules of the House of Representatives, and in compliance with section 308(a) of the Congressional Budget Act of 1974, the Committee reports that H.R. 838 does not provide any new budget authority or new or increased tax expenditures.

With respect to clause (2)(l)(3)(C) of rule XI of the Rules of the House of Representatives, the Committee has received the following report from the Congressional Budget Office under section 403 of the Congressional Budget Act of 1974:

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, May 10, 1989.

Hon. GLENN M. ANDERSON,
Chairman, Committee on Public Works and Transportation, U.S. House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: The Congressional Budget Office has reviewed H.R. 838, a bill to authorize the Secretary of Transportation

to release restrictions on the use of certain property conveyed to the Peninsula Airport Commission for airport purposes, as ordered reported by the House Committee on Public Works and Transportation, May 4, 1989. We estimate that no cost to the federal government or to state or local governments would result from enactment of this bill.

In 1947, the United States conveyed certain property in Newport News and York County, Virginia, to the Peninsula Airport Commission for airport purposes. H.R. 838 would modify certain restrictions contained in Public Law 99-618 that limit the commission's ability to lease or convey portions of the property to others.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contact is Mitchell Rosenfeld, who can be reached at 226-2860.

Sincerely

ROBERT D. REISCHAUER,
Director.

INFLATIONARY IMPACT ANALYSIS

With respect to clause 2(l)(4) of rule XI of the Rules of the House of Representatives, the Committee reports that there should be no inflationary impact on prices and costs in the operation of the national economy by enactment of H.R. 838.

COST ESTIMATE OF THE LEGISLATION

With respect to clause 7(A)(1) of rule XIII of the Rules of the House of Representatives, the Committee reports that it agrees with the estimate of the Congressional Budget Office of the costs incurred by enactment of the bill.

With respect to clause 7(A)(2) of rule XIII of the Rules of the House of Representatives, the Committee reports that no cost estimate of H.R. 838 was submitted to the Committee by a government agency.

CHANGES IN EXISTING LAW MADE BY THE BILL, AS REPORTED

In compliance with clause 3 of rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill, as reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italic, existing law in which no change is proposed is shown in roman):

ACT OF NOVEMBER 6, 1986

AN ACT To authorize the Secretary of Transportation to release restrictions on the use of certain property conveyed to the Peninsula Airport Commission, Virginia, for airport purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) notwithstanding section 16 of the Federal Airport Act (as in effect on May 14, 1947), the Secretary of Transportation is authorized, subject to section 4 of the Act of October 1, 1949 (50 U.S.C. App. 1622c) and subsection (b) of this section, to grant releases from any of the terms, conditions, reservations, and restrictions contained in the

deed of conveyance dated May 14, 1947, under which the United States conveyed certain property in Newport News, and York County, Virginia, to the Peninsula Airport Commission for airport purposes.

(b) Any release granted by the Secretary of Transportation under subsection (a) of this section shall be subject to the following conditions—

(1) The Peninsula Airport Commission shall agree that in leasing or conveying any interest in the property which the United States conveyed to such Commission by the deed described in subsection (a), the Commission will receive an amount for such interest which is equal to the fair lease value or the fair market value, as the case may be (as determined pursuant to regulations issued by the Secretary).

(2) Any amount so received by the Peninsula Airport Commission shall be used by the Commission for the development, improvement, operation, or maintenance of a public airport.

(3) Any release granted by the Secretary of Transportation under subsection (a) of this section may not apply to more than [7.5 acres] *20.5 acres* of real property.

[(4) The Peninsula Airport Commission may not lease or convey any interest in any of the property which the United States conveyed to such Commission by the deed described in subsection (a), to any person or business concern other than the City of Newport News, Virginia.]

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